

BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 2014-346-WS - ORDER NO. 2020-749

November 4, 2020

IN RE:	Application of Daufuskie Island Utility)	ORDER DENYING
	Company, Inc. for Approval of an Increase)	RECONSIDERATION OF
	for Water and Sewer Rates, Terms and)	ORDER NO. 2020-700
	Conditions)	

This matter comes before the Public Service Commission of South Carolina on the request of Daufuskie Island Utility Company (“DIUC”) for reconsideration of Order No. 2020-700, which granted the Motion to Compel filed by the South Carolina Office of Regulatory Staff (“ORS”). The Order also allowed ORS to file a proposed Order, and further allowed DIUC to file a response to that proposed Order.

At the bottom of page one of its response, DIUC included a footnote which stated the following: “DIUC remains opposed to the Motion and would respectfully ask that the Commission reconsider its decision. Recognizing that may not occur, DIUC provides this Response to the Proposed Order pursuant to Order No. 2020-700. The lack of a reference herein to any specific provision of the Proposed Order is not intended to indicate that DIUC agrees with or consents to same.” This statement constitutes the only indication of the request to reconsider in the entire document.

S.C. Regs. 103-825A(4) requires that a party making a Petition for Rehearing or Reconsideration of a Commission Order:

set forth clearly and concisely:

- (a) The factual and legal issues forming the basis for the petition;
- (b) The alleged error or errors in the Commission order;
- (c) The statutory provision or other authority upon which the petition is based.

S.C. Code Ann. Regs. 103-825A(4) (2012).

DIUC failed to provide any other information related to the matter of reconsideration, and, in so doing, failed to satisfy any of the criteria required for the Commission to grant reconsideration. The DIUC document only discusses what the Commission's Order ruling on the Motion to Compel should contain and does not expand on its request for reconsideration. Since DIUC failed to discuss or satisfy any of the criteria required for the Commission to grant reconsideration of Order No. 2020-700, the request for reconsideration must be denied.

Findings of Fact

1. This Commission issued Order No. 2020-700 on October 8, 2020.
2. This Order granted the ORS Motion to Compel and allowed ORS to file a proposed Order and DIUC to file a Response to that Order.
3. ORS filed its proposed Order on October 15, 2020.
4. DIUC filed its Response on October 19, 2020.
5. At the bottom of page one of its response, DIUC included a footnote which stated the following: "DIUC remains opposed to the Motion and would respectfully ask that the Commission reconsider its decision. Recognizing that may not occur, DIUC provides this

Response to the Proposed Order pursuant to Order No. 2020-700. The lack of a reference herein to any specific provision of the Proposed Order is not intended to indicate that DIUC agrees with or consents to same.”

6. DIUC failed to provide any information that would allow the Commission to evaluate the request for reconsideration, including a discussion of the legal criteria to be used.

Conclusions of Law

1. S.C. Regs. 103-825A(4) requires that a party making a Petition for Rehearing or Reconsideration of a Commission Order set forth clearly and concisely:

- (a) The factual and legal issues forming the basis for the petition;
- (b) The alleged error or errors in the Commission order;
- (c) The statutory provision or other authority upon which the petition is based. S.C. Code Ann. Regs. 103-825A(4) (2012).

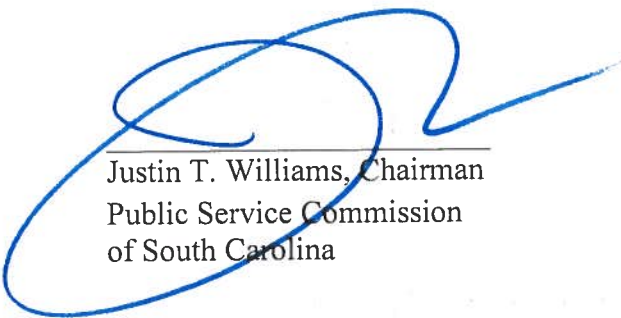
2. DIUC failed to discuss these criteria for reconsideration, therefore, the DIUC request for reconsideration must be denied.

Ordering Clauses

The DIUC Request for Reconsideration of Order No. 2020-700 is denied. This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:




Justin T. Williams, Chairman
Public Service Commission
of South Carolina